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JERICO PRODUCTS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 JERICO PRODUCTS, INC., a California) Case No. C 05 00210 JSW
11 Corporation,)
12 Plaintiff,) **STIPULATION OF SETTLEMENT AND**
13 v.) **DISMISSAL, AND [PROPOSED] ORDER**
14 SONOMA MARIN AREA RAIL TRANSIT) **GRANTING DISMISSAL BUT**
15 DISTRICT, a regional transit district) **RETAINING JURISDICTION OVER**
16 Defendant.) **SETTLEMENT**

STIPULATION

18 The parties, plaintiff Jerico Products, Inc. (JERICO) through its attorneys and defendant
19 Sonoma Marin Area Rail Transit District, SMART (SMART) through its attorneys, report that
20 following a settlement conference last September with Magistrate Judge Bernard Zimmerman,
21 the parties have entered into a settlement agreement. This is an unusual case in that the
22 settlement does not require a monetary payment, but requires the parties to undertake certain
23 actions. The parties' agreed obligations will continue through at least November 1, 2007.

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1 Pursuant to Federal Rule of Civil Procedure 41(a)(2), and to the Court's order of July 18,
2 2006 denying a request for a stay in this action, the parties stipulate to the dismissal of this action
3 without prejudice, and further stipulate to the Court retaining jurisdiction through November 1,
4 2007.

5 Respectfully submitted,

6 Dated: July 25, 2006 GIBSON ROBB & LINDH LLP

7 By: S/ JENNIFER TOMLIN SANCHEZ
8 Jennifer Tomlin Sanchez
9 Attorneys for Plaintiff
SEAGATE TECHNOLOGY LLC

10 Dated: July 25, 2006 CHRISTOPHER J. NEARY

11 By: S/ CHRISTOPHER J. NEARY
12 Christopher J. Neary
13 Attorneys for Defendant
14 SONOMA MARIN AREA RAIL
TRANSIT DISTRICT

15 **ORDER ON STIPULATION**

16 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, the Court having
17 considered the stipulation of the parties to dismiss this action without prejudice and for the Court
18 to retain jurisdiction over the settlement through November 1, 2007, and good cause appearing
19 therefor, hereby orders that this action is dismissed without prejudice, and that this Court retains
20 jurisdiction over the terms of the parties' settlement until November 1, 2007.

21
22 IT IS SO ORDERED.

23
24 Dated: July 26, 2006


25 JUDGE OF THE UNITED STATES
26 DISTRICT COURT, FOR THE
27 NORTHERN DISTRICT OF
28 CALIFORNIA